

EXHIBIT 57

Excerpts of Deposition of Carlos Silva

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CUNG LE; NATHAN QUARRY, JON)	
FITCH, on behalf of)	
themselves and all others)	
similarly situated,)	
)	
Plaintiffs,)	
)	
vs.)	Case No.
)	2:15-cv-01045-RFB-(PAL)
)	
ZUFFA, LLC, d/b/a Ultimate)	
Fighting Championship and)	
UFC,)	
)	
Defendant.)	
_____)	

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VIDEOTAPED DEPOSITION OF CARLOS SILVA

Las Vegas, Nevada

April 18, 2017

9:16 a.m.

REPORTED BY:
CYNTHIA K. DuRIVAGE, CSR #451
Job No. 49524

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<p style="text-align: right;">110</p> <p>1 least one.</p> <p>2 Q. Would you say that a large segment of the</p> <p>3 consuming audience views the UFC as synonymous with</p> <p>4 MMA?</p> <p>5 MR. SKAGGS: Form, foundation, calls for</p> <p>6 speculation.</p> <p>7 THE WITNESS: No.</p> <p>8 BY MR. MAYSEY:</p> <p>9 Q. Do you think the public views other MMA</p> <p>10 promotions other than the UFC as minor league?</p> <p>11 A. No.</p> <p>12 Q. You've never heard Dana White refer to all</p> <p>13 other promotions as minor league?</p> <p>14 MR. SKAGGS: Form.</p> <p>15 THE WITNESS: I haven't.</p> <p>16 BY MR. MAYSEY:</p> <p>17 Q. To your knowledge, is the UFC willing to</p> <p>18 co-promote events?</p> <p>19 A. I've never asked, so I wouldn't know.</p> <p>20 Q. How come you've never asked?</p> <p>21 A. No reason to.</p> <p>22 Q. Is it because you know they won't?</p> <p>23 A. No.</p> <p>24 MR. COUVILLIER: Objection, argumentative.</p> <p>25 THE WITNESS: I've never asked, so I don't</p>	<p style="text-align: right;">112</p> <p>1 THE WITNESS: I don't know that -- I don't</p> <p>2 know that I would say that.</p> <p>3 I think that the industry refers to the</p> <p>4 companies as promotions.</p> <p>5 BY MR. MAYSEY:</p> <p>6 Q. What is a league to you?</p> <p>7 MR. SKAGGS: Form.</p> <p>8 THE WITNESS: An organization that runs a</p> <p>9 sport.</p> <p>10 BY MR. MAYSEY:</p> <p>11 Q. Major League Baseball, is that an example?</p> <p>12 A. Good example.</p> <p>13 Q. And does Major League Baseball have 32</p> <p>14 member teams forming together to form a league?</p> <p>15 A. As far as I know. I think it's 32.</p> <p>16 Q. Would you call the UFC dominant in the MMA</p> <p>17 market?</p> <p>18 A. I would.</p> <p>19 MR. SKAGGS: Calls for a legal conclusion.</p> <p>20 BY MR. MAYSEY:</p> <p>21 Q. Does the UFC's dominance in the MMA market</p> <p>22 make it more difficult for the World Series Of</p> <p>23 Fighting to attract talent?</p> <p>24 A. No.</p> <p>25 Q. Does the UFC's MMA dominance make it more</p>
<p style="text-align: right;">111</p> <p>1 know the answer.</p> <p>2 BY MR. MAYSEY:</p> <p>3 Q. Would that help you put together higher</p> <p>4 profile matches if your top fighters could fight</p> <p>5 against top UFC fighters?</p> <p>6 MR. SKAGGS: Form, foundation.</p> <p>7 THE WITNESS: Yeah, UFC fighters fight UFC</p> <p>8 fighters, Bellator fighters fight Bellator fighters</p> <p>9 and World Series Of Fighting fighters fight World</p> <p>10 Series Of Fighting fighters.</p> <p>11 BY MR. MAYSEY:</p> <p>12 Q. Except World Series Of Fighting fighters</p> <p>13 you've admitted World Series Of Fighting will</p> <p>14 co-promote?</p> <p>15 A. Correct, but you've made a false</p> <p>16 assumption.</p> <p>17 Q. Which is?</p> <p>18 A. That the co-promote were across leagues.</p> <p>19 The co-promote were undercards and main cards.</p> <p>20 Q. What is a league?</p> <p>21 A. A promotion. Sorry. I should have said</p> <p>22 promotion.</p> <p>23 Q. So is it fair to say, MMA promotions are</p> <p>24 not leagues?</p> <p>25 MR. SKAGGS: Vague.</p>	<p style="text-align: right;">113</p> <p>1 difficult for the World Series Of Fighting to attract</p> <p>2 sponsors?</p> <p>3 A. No. In fact, just the opposite.</p> <p>4 Q. Their dominance makes it easier for you to</p> <p>5 get sponsors?</p> <p>6 A. Um-hmm.</p> <p>7 Q. In which way?</p> <p>8 A. The sport's bigger, more people know about</p> <p>9 MMA, more people want to play. You know, if the tide</p> <p>10 rises, all the boats rise with it.</p> <p>11 Q. Is that true of the Arena Football League?</p> <p>12 A. I don't understand the question --</p> <p>13 MR. SKAGGS: Form and foundation.</p> <p>14 THE WITNESS: -- or the context.</p> <p>15 BY MR. MAYSEY:</p> <p>16 Q. So as the NFL gets bigger and bigger, is</p> <p>17 the Arena Football League's tide rising or the</p> <p>18 Canadian Football League's?</p> <p>19 A. I have no idea. I'm not in the football</p> <p>20 business.</p> <p>21 Q. Are you aware that the UFC acquired the</p> <p>22 World Fighting Alliance --</p> <p>23 MR. SKAGGS: Foundation.</p> <p>24 BY MR. MAYSEY:</p> <p>25 Q. -- WFA?</p>

29 (Pages 110 to 113)

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<p style="text-align: right;">114</p> <p>1 A. I was not. When was that?</p> <p>2 Q. I believe it was 2006.</p> <p>3 A. Okay.</p> <p>4 Q. You were not aware of that?</p> <p>5 A. No.</p> <p>6 Q. Have you heard of a promotion called World</p> <p>7 Extreme Cagefighting or WEC?</p> <p>8 A. I have.</p> <p>9 Q. Were you aware that the UFC acquired the</p> <p>10 WEC?</p> <p>11 A. I am aware of that.</p> <p>12 Q. Have you heard of a promotion called Pride</p> <p>13 Fighting Championships?</p> <p>14 A. Absolutely.</p> <p>15 Q. Were you aware that the UFC acquired Pride</p> <p>16 Fighting Championships?</p> <p>17 MR. SKAGGS: Form, foundation.</p> <p>18 THE WITNESS: I am aware of that.</p> <p>19 BY MR. MAYSEY:</p> <p>20 Q. Do you recall a promotion called Affliction</p> <p>21 MMA?</p> <p>22 A. I do.</p> <p>23 Q. Were you aware that the UFC acquired assets</p> <p>24 from Affliction MMA?</p> <p>25 MR. SKAGGS: Foundation.</p>	<p style="text-align: right;">116</p> <p>1 BY MR. MAYSEY:</p> <p>2 Q. You can answer.</p> <p>3 A. The UFC is the oldest, they've been around</p> <p>4 the longest, and as I said earlier in my testimony,</p> <p>5 they have the most awareness as an MMA promotion, and</p> <p>6 that's because they have most of the -- most of the</p> <p>7 top fighters.</p> <p>8 Q. I'm going to stretch your memory.</p> <p>9 Do you remember a correspondent named</p> <p>10 Tim Thompson who was reporting for MMANews.Com?</p> <p>11 A. No.</p> <p>12 Q. Really?</p> <p>13 A. Sorry, no, don't know Tim.</p> <p>14 Q. I'm going to play a clip for you, and then,</p> <p>15 I'll ask you about it --</p> <p>16 A. Sure.</p> <p>17 Q. -- after it's --</p> <p>18 A. Is this the clips we heard earlier?</p> <p>19 Q. Yes.</p> <p>20 A. Sounds good.</p> <p>21 When did I talk to Tim?</p> <p>22 Q. June of 2016, according to the published</p> <p>23 report.</p> <p>24 A. Okay. Sounds good.</p> <p>25 MR. WIDNELL: Are you designating this with</p>
<p style="text-align: right;">115</p> <p>1 THE WITNESS: I believe so. I believe I</p> <p>2 knew that.</p> <p>3 BY MR. MAYSEY:</p> <p>4 Q. Have you heard of a promotion called</p> <p>5 Strikeforce?</p> <p>6 A. Um-hmm.</p> <p>7 Q. Were you aware that the UFC acquired</p> <p>8 Strikeforce?</p> <p>9 A. I'm aware.</p> <p>10 MR. SKAGGS: Foundation.</p> <p>11 BY MR. MAYSEY:</p> <p>12 Q. Following those acquisitions, in your</p> <p>13 opinion, did the UFC now control the vast majority of</p> <p>14 top tier fighters?</p> <p>15 MR. SKAGGS: Form, foundation. Vague.</p> <p>16 THE WITNESS: I would say that the UFC has</p> <p>17 the most top tier fighters. I would not say that</p> <p>18 it's because they acquired those organizations.</p> <p>19 I can't make -- I can't make that -- I</p> <p>20 can't make that judgment.</p> <p>21 BY MR. MAYSEY:</p> <p>22 Q. But you do think they have the majority of</p> <p>23 top tier fighters?</p> <p>24 MR. SKAGGS: Misstates the testimony.</p> <p>25</p>	<p style="text-align: right;">117</p> <p>1 an exhibit number?</p> <p>2 MR. MAYSEY: Yes. Can you designate this</p> <p>3 clip as the next exhibit.</p> <p>4 MR. SKAGGS: 18, I believe.</p> <p>5 MR. MAYSEY: Yes, which I believe is</p> <p>6 Exhibit 18.</p> <p>7 MR. SKAGGS: Who was the correspondent,</p> <p>8 Rob?</p> <p>9 MR. MAYSEY: Tim Thompson.</p> <p>10 MR. COUVILLIER: Was he associated with a</p> <p>11 media outlet?</p> <p>12 MR. MAYSEY: Yeah, MMANews.Com.</p> <p>13 MR. SKAGGS: What was the date again?</p> <p>14 Sorry.</p> <p>15 MR. MAYSEY: I don't know if the link says</p> <p>16 the exact date. It was June 2016.</p> <p>17 THE WITNESS: Let's hear what I had to say.</p> <p>18 MS. NORDQUIST: June 30th.</p> <p>19 MR. MAYSEY: It's June 30th.</p> <p>20 MR. COUVILLIER: Give me a second after</p> <p>21 it's playing.</p> <p>22 THE VIDEOGRAPHER: Mr. Maysey?</p> <p>23 MR. MAYSEY: Yes.</p> <p>24 THE VIDEOGRAPHER: Would you mind moving</p> <p>25 your microphone closer to the laptop.</p>

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<p style="text-align: right;">170</p> <p>1 MR. SKAGGS: Vague.</p> <p>2 THE WITNESS: I'm sorry. You have to</p> <p>3 repeat the question.</p> <p>4 BY MR. MAYSEY:</p> <p>5 Q. Yeah. Do you think it helps a fighter</p> <p>6 become well-known amongst the general public by</p> <p>7 winning?</p> <p>8 MR. SKAGGS: Same objection.</p> <p>9 THE WITNESS: I think it's a fact -- I</p> <p>10 think it's a factor, yes.</p> <p>11 BY MR. MAYSEY:</p> <p>12 Q. All things otherwise equal, would you say</p> <p>13 that when a fighter wins a bout, his value generally</p> <p>14 goes up, and when he loses, his value generally goes</p> <p>15 down?</p> <p>16 MR. SKAGGS: Vague, form.</p> <p>17 THE WITNESS: I would say, generally if a</p> <p>18 fighter wins, their value goes up. I would not say</p> <p>19 that if they lose, they go down.</p> <p>20 BY MR. MAYSEY:</p> <p>21 Q. And that's because it could have been a</p> <p>22 spectacular fight, they just happened to lose; is</p> <p>23 that it?</p> <p>24 A. Correct.</p> <p>25 Q. Now, if I change the question to say the</p>	<p style="text-align: right;">172</p> <p>1 scratch that.</p> <p>2 Is it easier to grow and create well-known</p> <p>3 fighters or retain fighters who are already</p> <p>4 well-known?</p> <p>5 A. I think it's a mix of all.</p> <p>6 Q. What criteria does the World Series Of</p> <p>7 Fighting use to evaluate which fighters to sign?</p> <p>8 A. Long list of criteria. Where they've</p> <p>9 fought, who they fought, have they won, have they</p> <p>10 lost, are they on a streak, are they not on a streak,</p> <p>11 do people know them. The list goes on and on.</p> <p>12 Q. So are you examining fight records in</p> <p>13 making qualitative assessments as to who the</p> <p>14 opponents were?</p> <p>15 A. As one -- as one -- as one factor, yes.</p> <p>16 Q. So that is part of the analysis, at least?</p> <p>17 A. Sure.</p> <p>18 Q. Does the World Series Of Fighting prefer</p> <p>19 fighters to be well-known before signing them?</p> <p>20 A. Prefer? Can you define "prefer."</p> <p>21 Q. Yeah. All things being equal, is it a plus</p> <p>22 for that fighter to have if they're already</p> <p>23 well-known?</p> <p>24 A. Yes. It can be a plus.</p> <p>25 Q. Do fighters need to have competed in</p>
<p style="text-align: right;">171</p> <p>1 fight was spectacular, will the fighter benefit more</p> <p>2 had they won the spectacular fight?</p> <p>3 A. Maybe.</p> <p>4 MR. SKAGGS: Vague.</p> <p>5 BY MR. MAYSEY:</p> <p>6 Q. Is it important for World Series Of</p> <p>7 Fighting to retain well-known fighters?</p> <p>8 MR. SKAGGS: Vague.</p> <p>9 THE WITNESS: I think that's one -- I think</p> <p>10 that's one factor for World Series Of Fighting, for</p> <p>11 our success.</p> <p>12 BY MR. MAYSEY:</p> <p>13 Q. If World Series Of Fighting is not</p> <p>14 successful in retaining or signing well-known</p> <p>15 fighters, is it likely that it will decline in</p> <p>16 popularity?</p> <p>17 A. No.</p> <p>18 MR. SKAGGS: Calls for speculation.</p> <p>19 THE WITNESS: It's not likely.</p> <p>20 MR. SKAGGS: Form.</p> <p>21 BY MR. MAYSEY:</p> <p>22 Q. Why not?</p> <p>23 A. Because World Series Of Fighting also grows</p> <p>24 and creates fighters.</p> <p>25 Q. And can you grow and create faster than --</p>	<p style="text-align: right;">173</p> <p>1 professional mixed martial arts before the World</p> <p>2 Series Of Fighting is interested in signing them?</p> <p>3 A. Yes.</p> <p>4 Q. Do they need to demonstrate a track record</p> <p>5 of success in competition or of attracting live</p> <p>6 audience?</p> <p>7 MR. SKAGGS: Form.</p> <p>8 THE WITNESS: Ask that -- if you could ask</p> <p>9 that question in each part.</p> <p>10 BY MR. MAYSEY:</p> <p>11 Q. Sure. When World Series Of Fighting is</p> <p>12 determining whether to sign a fighter, is a</p> <p>13 demonstrated record of success in competition</p> <p>14 important?</p> <p>15 A. That is a factor that we look at.</p> <p>16 Q. And when World Series Of Fighting is</p> <p>17 determining whether to sign a fighter, does it</p> <p>18 consider whether the fighter has the ability to sell</p> <p>19 tickets?</p> <p>20 A. Yes.</p> <p>21 Q. Does the World Series Of Fighting consider</p> <p>22 whether -- scratch that.</p> <p>23 Does the World Series Of Fighting give any</p> <p>24 extra weight to fighters who have competed in the</p> <p>25 UFC?</p>

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<p style="text-align: right;">174</p> <p>1 MR. SKAGGS: Form.</p> <p>2 THE WITNESS: Yes.</p> <p>3 BY MR. MAYSEY:</p> <p>4 Q. Why is that?</p> <p>5 A. Why is that? They may have experience, may</p> <p>6 have fought for years and years. World Series Of</p> <p>7 Fighting is only five years old; UFC is 20 years old,</p> <p>8 give or take.</p> <p>9 Q. Do you assume or does World Series Of</p> <p>10 Fighting assume if a fighter has competed in the UFC,</p> <p>11 they can at least compete at the top level?</p> <p>12 MR. SKAGGS: Vague.</p> <p>13 THE WITNESS: We don't assume that, but we</p> <p>14 look at each fighter individually and want them to be</p> <p>15 able to compete at the top level.</p> <p>16 BY MR. MAYSEY:</p> <p>17 Q. And is having competed in the UFC at least</p> <p>18 an indication you are at the top level?</p> <p>19 MR. SKAGGS: Vague.</p> <p>20 THE WITNESS: Yes.</p> <p>21 MR. MAYSEY: That's it for this topic. I</p> <p>22 suggest we go off record and break for lunch --</p> <p>23 THE WITNESS: Sure.</p> <p>24 MR. MAYSEY: -- and then come back.</p> <p>25 THE WITNESS: Sounds good.</p>	<p style="text-align: right;">176</p> <p>1 Q. Would you agree that larger venues afford</p> <p>2 higher revenue opportunities?</p> <p>3 A. Not really for us. Not really for World</p> <p>4 Series Of Fighting.</p> <p>5 Q. Why do you say that?</p> <p>6 A. We're not a larger arena organization.</p> <p>7 We're a 5,000 arena size promotion.</p> <p>8 Q. So you're purposely selecting venues that</p> <p>9 are not the largest of venues?</p> <p>10 A. Correct.</p> <p>11 Q. And what factors do you consider in</p> <p>12 determining what venues you're going to select for</p> <p>13 your events?</p> <p>14 A. Fighters, costs, amenities, and TV slot and</p> <p>15 time zone of the arena to match the TV slot.</p> <p>16 Q. Have you ever had any issues scheduling</p> <p>17 either events or venues for events?</p> <p>18 A. Have I ever had any issues?</p> <p>19 Q. Yes. Be it -- there's a conflict because</p> <p>20 there's another MMA event or your broadcaster won't</p> <p>21 take the show because of?</p> <p>22 MR. SKAGGS: Form.</p> <p>23 THE WITNESS: Generally not because of an</p> <p>24 MMA event. Generally because of Disney On Ice or the</p> <p>25 Harlem Globetrotters. That's not a joke.</p>
<p style="text-align: right;">175</p> <p>1 THE VIDEOGRAPHER: We're going off the</p> <p>2 record. The time is 1:19 p.m.</p> <p>3 (A luncheon recess was taken at</p> <p>4 1:19 p.m. to 1:55 p.m.)</p> <p>5 THE VIDEOGRAPHER: Back on the record. The</p> <p>6 time is 1:55 p.m.</p> <p>7</p> <p>8 EXAMINATION (CONTINUED)</p> <p>9 BY MR. MAYSEY:</p> <p>10 Q. Mr. Silva, I want to talk to you a little</p> <p>11 about bit about promotional costs and costs related</p> <p>12 to events.</p> <p>13 When an MMA event is staged in a larger</p> <p>14 arena, does the facility rental cost also rise?</p> <p>15 A. Depends, but sometimes. Depends the arena</p> <p>16 more than the size of the arena.</p> <p>17 Q. And when you say "arena," is it location,</p> <p>18 or is it --</p> <p>19 A. Sure.</p> <p>20 Q. -- marquis of arena?</p> <p>21 A. Madison Square Garden costs more than</p> <p>22 Comerica in Phoenix.</p> <p>23 Q. Even though they seat the same number,</p> <p>24 roughly?</p> <p>25 A. Correct.</p>	<p style="text-align: right;">177</p> <p>1 BY MR. MAYSEY:</p> <p>2 Q. And those programs tend to air on Saturday</p> <p>3 afternoons.</p> <p>4 Is that accurate?</p> <p>5 A. Fridays and Saturdays. There's only 52</p> <p>6 Fridays and 52 Saturdays available.</p> <p>7 Q. Is WSOF opposed to doing bigger venue</p> <p>8 shows, or you just feel the promotion is not ready</p> <p>9 for those bigger venues?</p> <p>10 A. It's important for our TV partners to have</p> <p>11 a full arena. Full arenas make good shows, full</p> <p>12 arenas make good TV, so we go to places that we can</p> <p>13 fill the arena.</p> <p>14 Q. So if you think you can sell 18,000</p> <p>15 tickets, you'll look at different venues?</p> <p>16 A. Correct.</p> <p>17 Q. How do you predict how many tickets an</p> <p>18 event will sell?</p> <p>19 A. That's a great question.</p> <p>20 Q. Is it pure guesswork, or is it educated at</p> <p>21 this point?</p> <p>22 A. I would say it's not guesswork. It's based</p> <p>23 on marketing and repeat visits. That's a factor.</p> <p>24 If we're going to a city first time, it</p> <p>25 will be more difficult than if we've gone to the city</p>

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<p style="text-align: right;">178</p> <p>1 for the third time.</p> <p>2 Q. So as you revisit cities, you find that</p> <p>3 your audience grows?</p> <p>4 A. Sure.</p> <p>5 Q. When an MMA event is televised live as</p> <p>6 opposed to distributed on DVD or on tape delay, does</p> <p>7 that increase the cost as well, the production costs?</p> <p>8 A. World Series Of Fighting fights are only</p> <p>9 live on television.</p> <p>10 Q. And for World Series Of Fighting, does</p> <p>11 geographic distribution change show to show, or is it</p> <p>12 always the same?</p> <p>13 A. Geographic distribution, as in countries?</p> <p>14 Q. Countries or within North America.</p> <p>15 A. No, not in North America. NBC is our</p> <p>16 partner, so wherever --</p> <p>17 Q. It's the same every show?</p> <p>18 A. Wherever NBCSN and NBC can be viewed, you</p> <p>19 can be a World Series Of Fighting.</p> <p>20 Q. Does distribution change internationally</p> <p>21 show to show?</p> <p>22 A. It does. It can based on -- we have a</p> <p>23 Bulgarian heavyweight, so we are now shown in</p> <p>24 Bulgaria.</p> <p>25 Q. And they don't show every show, they</p>	<p style="text-align: right;">180</p> <p>1 BY MR. MAYSEY:</p> <p>2 Q. Of that 109,000, how much will you devote</p> <p>3 towards production costs?</p> <p>4 A. Generally all of it.</p> <p>5 Q. So after production costs -- scratch that.</p> <p>6 Is it accurate to say, production largely</p> <p>7 eats up the entire license fee?</p> <p>8 A. It's accurate.</p> <p>9 Q. And does it matter the size of the show, or</p> <p>10 is that true of all the shows?</p> <p>11 A. It matters, but it's true of all the shows.</p> <p>12 It varies, but it's true of all the shows.</p> <p>13 Q. And does World Series Of Fighting own the</p> <p>14 content --</p> <p>15 A. We do.</p> <p>16 Q. -- that's broadcast on NBC Sports?</p> <p>17 A. Yes, we do.</p> <p>18 Q. Do you feel there's an advantage to owning</p> <p>19 the content?</p> <p>20 A. Sure. Yes.</p> <p>21 Q. So if NBC Sports or another broadcaster</p> <p>22 came to World Series Of Fighting and offered to</p> <p>23 double the licensing fee to cover your production</p> <p>24 costs, would you still film your own, or would you</p> <p>25 turn over production?</p>
<p style="text-align: right;">179</p> <p>1 show --</p> <p>2 A. No, they do now.</p> <p>3 Q. Oh, they do now?</p> <p>4 A. They do, but they started because he became</p> <p>5 the champion.</p> <p>6 Q. Who pays the television production costs</p> <p>7 for World Series Of Fighting shows?</p> <p>8 A. We do.</p> <p>9 Q. And do you hire your own cameramen and</p> <p>10 sound people and lighting people, or are they</p> <p>11 supplied by NBC Sports?</p> <p>12 A. No. We hire them.</p> <p>13 Q. Does NBC Sports pay you for that cost?</p> <p>14 A. NBC Sports pays us a fee for each of our</p> <p>15 shows.</p> <p>16 Q. So there's no separate fee to reimburse you</p> <p>17 for costs?</p> <p>18 A. No.</p> <p>19 Q. And out of that, I believe you testified</p> <p>20 that the television licensing fee precommission is</p> <p>21 around 109,000.</p> <p>22 Do you recall that?</p> <p>23 A. I do recall that.</p> <p>24 MR. SKAGGS: Misstates.</p> <p>25 ///</p>	<p style="text-align: right;">181</p> <p>1 MR. SKAGGS: Hypothetical.</p> <p>2 THE WITNESS: Hard to say. It's a bigger</p> <p>3 deal. It's one item in a five-part deal for</p> <p>4 distribution. It's a lever.</p> <p>5 BY MR. MAYSEY:</p> <p>6 Q. Is prior bout footage important --</p> <p>7 A. Can we make this the last question, then I</p> <p>8 have to take a break.</p> <p>9 Q. Sure.</p> <p>10 Is prior bout footage important in</p> <p>11 promoting bouts?</p> <p>12 MR. SKAGGS: Vague.</p> <p>13 THE WITNESS: Is prior bout footage --</p> <p>14 BY MR. MAYSEY:</p> <p>15 Q. So for example, if you had footage of John</p> <p>16 Fitch's fight against Jake Shields, would that help</p> <p>17 you promote a future John Fitch fight?</p> <p>18 A. We own that content, so we might use it to</p> <p>19 promote a future bout, yes.</p> <p>20 Q. Is it more difficult to promote a bout if</p> <p>21 you don't have any footage?</p> <p>22 MR. SKAGGS: Vague, form.</p> <p>23 THE WITNESS: Yes, but we have 35 fights,</p> <p>24 so we have footage.</p> <p>25 ///</p>

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<p style="text-align: right;">186</p> <p>1 A. Less than 15 full-time staff.</p> <p>2 Q. And did you have any regular contractors</p> <p>3 you used?</p> <p>4 A. A couple.</p> <p>5 Q. What is the most lucrative corporate</p> <p>6 sponsor that World Series Of Fighting has?</p> <p>7 A. Alienware.</p> <p>8 Q. When did that sponsorship relationship</p> <p>9 originate?</p> <p>10 A. It was either August, September, or October</p> <p>11 of 2015. I can't remember which was our first show.</p> <p>12 Q. And pursuant to that sponsorship, what does</p> <p>13 World Series Of Fighting provide Alienware?</p> <p>14 A. Center of the mat at times, 30-second</p> <p>15 units. Various other television sponsorship</p> <p>16 elements.</p> <p>17 Q. When you say, "30-second units," are those</p> <p>18 commercials during the broadcast?</p> <p>19 A. They are.</p> <p>20 Q. Does NBC Sports or NBC split time with</p> <p>21 World Series Of Fighting? And by that I mean --</p> <p>22 A. No.</p> <p>23 Q. -- World Series gets to sell some spots and</p> <p>24 they sell?</p> <p>25 A. We sell all the spots.</p>	<p style="text-align: right;">188</p> <p>1 Q. To NBC.</p> <p>2 A. No, NBC pays us.</p> <p>3 Q. Do you give NBC time to advertise other</p> <p>4 shows that are broadcast on NBC?</p> <p>5 A. We do. There's standard promotional cable</p> <p>6 and broadcast slots.</p> <p>7 Q. So that could be part of the benefit NBC is</p> <p>8 receiving?</p> <p>9 A. For sure.</p> <p>10 Q. Is Monster Energy still a corporate sponsor</p> <p>11 of the World Series Of Fighting?</p> <p>12 A. No.</p> <p>13 Q. Were they ever at any point in time?</p> <p>14 A. Not as far as I know.</p> <p>15 Q. What other corporate sponsors does the</p> <p>16 World Series Of Fighting have?</p> <p>17 A. Probably in one of these decks.</p> <p>18 Alienware, Miller Lite, Kawasaki, Auto</p> <p>19 Shopper, Ticket Galaxy, Kiswe, Fight.TV.</p> <p>20 Q. Do you know how much per annum Alienware --</p> <p>21 A. Avion Tequila.</p> <p>22 Q. I'm sorry.</p> <p>23 A. Sorry.</p> <p>24 Q. Do you know how much per annum Alienware</p> <p>25 pays World Series Of Fighting?</p>
<p style="text-align: right;">187</p> <p>1 Q. And then, do you split the revenue with</p> <p>2 NBC Sports?</p> <p>3 A. We have at times split revenue with them.</p> <p>4 Q. Not all the time?</p> <p>5 A. No. It changed last year.</p> <p>6 Q. What was the change?</p> <p>7 A. We stopped -- we stopped giving them any</p> <p>8 revenue.</p> <p>9 Q. Oh, so you get to keep it all?</p> <p>10 A. They let us keep the advertising revenue,</p> <p>11 yes.</p> <p>12 Q. How does NBC monetize your event if you're</p> <p>13 keeping the advertising revenue?</p> <p>14 A. You'd have to ask NBC.</p> <p>15 Q. You don't know?</p> <p>16 A. I don't.</p> <p>17 Q. Were you surprised you got to keep all the</p> <p>18 advertising revenue?</p> <p>19 A. No.</p> <p>20 Q. Is that industry norm?</p> <p>21 A. Every deal is different in the sports</p> <p>22 business.</p> <p>23 Q. And you're not paying any sort of licensing</p> <p>24 fee?</p> <p>25 A. To NBC?</p>	<p style="text-align: right;">189</p> <p>1 A. Approximately 35 -- \$34,000 a show.</p> <p>2 Q. And do they sponsor every show?</p> <p>3 A. They have since they started because we did</p> <p>4 a long-term deal.</p> <p>5 Q. Do you know approximately how much Miller</p> <p>6 pays World Series Of Fighting?</p> <p>7 A. Approximately \$10,000 a show.</p> <p>8 Q. And have they likewise participated in all</p> <p>9 shows?</p> <p>10 A. Nope, just a few.</p> <p>11 Q. Is it up to them -- what determines whether</p> <p>12 they sponsor or not?</p> <p>13 A. The sales relationship, the sales</p> <p>14 sponsorship contracts.</p> <p>15 Q. So it's no objective formula or if you do a</p> <p>16 show here for a sponsor --</p> <p>17 A. Not if you're Miller Lite.</p> <p>18 Q. Approximately how much does Auto Shopper</p> <p>19 pay World Series Of Fighting?</p> <p>20 A. \$10,000 a show.</p> <p>21 Q. And what determines what shows they</p> <p>22 sponsor?</p> <p>23 A. They have sponsored every single show we've</p> <p>24 ever had.</p> <p>25 Q. And same question for Kawasaki,</p>

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<p style="text-align: right;">190</p> <p>1 approximately how much do they?</p> <p>2 A. \$15,000 a show.</p> <p>3 Q. And what determines what shows they</p> <p>4 sponsor?</p> <p>5 A. They just joined us in New York City in the</p> <p>6 last show.</p> <p>7 Q. Have you seen an increase in your time with</p> <p>8 World Series Of Fighting in sponsorship revenue?</p> <p>9 A. Yes.</p> <p>10 Q. Some of this may be duplicative, but it</p> <p>11 will be brief.</p> <p>12 In North America, who currently televises</p> <p>13 World Series Of Fighting events?</p> <p>14 A. NBC Sports Network and NBC.</p> <p>15 Q. And approximately what does NBC Sports or</p> <p>16 NBC -- I'll ask them separately.</p> <p>17 Approximately what is the license fee</p> <p>18 NBC Sports pays to World Series Of Fighting per show?</p> <p>19 A. Approximately a hundred thousand dollars a</p> <p>20 show.</p> <p>21 Q. And is it the same fee if the show is</p> <p>22 broadcast on NBC?</p> <p>23 A. It is.</p> <p>24 Q. Who handles television production for your</p> <p>25 live events?</p>	<p style="text-align: right;">192</p> <p>1 year prior, maybe even all of the years. I'd have to</p> <p>2 check the contract.</p> <p>3 Q. So at least from 2015 forward?</p> <p>4 A. Correct.</p> <p>5 Q. Have you ever approached NBC Sports about</p> <p>6 paying a license fee for World Series Of Fighting</p> <p>7 prelims?</p> <p>8 A. Have not.</p> <p>9 Q. How come?</p> <p>10 A. We have a deal with NBC, and you don't</p> <p>11 approach your partner outside of contract. So when</p> <p>12 our contract is up, we'll discuss the deal.</p> <p>13 Q. Are you still open to negotiating with UFC</p> <p>14 Fight Pass for the World Series Of Fighting prelim</p> <p>15 content?</p> <p>16 A. No, not really.</p> <p>17 Q. You were in negotiations with Fight Pass,</p> <p>18 is that true?</p> <p>19 A. That's true.</p> <p>20 Q. Do you recall if it was a deal point of the</p> <p>21 UFC's that it obtain long-term control over the</p> <p>22 footage?</p> <p>23 MR. SKAGGS: Form, foundation.</p> <p>24 THE WITNESS: I don't -- I don't believe</p> <p>25 where we were, but there was a -- they would want to</p>
<p style="text-align: right;">191</p> <p>1 A. World Series Of Fighting handles it with a</p> <p>2 company called Tupelo Honey.</p> <p>3 Q. And you're paying the costs yourself?</p> <p>4 A. Correct.</p> <p>5 Q. In your opinion, is that a cost savings for</p> <p>6 the World Series Of Fighting as opposed to allowing</p> <p>7 NBC or the broadcaster to do the production</p> <p>8 themselves?</p> <p>9 A. It's just the deal structure.</p> <p>10 Q. If you preferred, could the deal have been</p> <p>11 structured the other way to where you're asking them</p> <p>12 to do the production?</p> <p>13 A. If I preferred it, I'd have NBC pay us a</p> <p>14 million dollars a show.</p> <p>15 Q. That could be an option?</p> <p>16 A. So it's just the deal structure.</p> <p>17 Q. Is WME IMG your agent for obtaining</p> <p>18 international distribution?</p> <p>19 A. They are.</p> <p>20 Q. Do you know how long they've been serving</p> <p>21 in that capacity?</p> <p>22 A. I can only answer that for myself. They've</p> <p>23 been -- they have been since I've been in charge.</p> <p>24 Q. Which would have been?</p> <p>25 A. And I think at least -- I think at least a</p>	<p style="text-align: right;">193</p> <p>1 have the footage during the term of the contract.</p> <p>2 BY MR. MAYSEY:</p> <p>3 Q. And at one point, did they request that the</p> <p>4 contract be a five-year term with their option to</p> <p>5 renew for an additional five-year term?</p> <p>6 MR. SKAGGS: Form, foundation.</p> <p>7 THE WITNESS: They requested a five-year</p> <p>8 term, but we did not get far enough along in the deal</p> <p>9 to understand any other terms. I rejected the</p> <p>10 five-year term.</p> <p>11 BY MR. MAYSEY:</p> <p>12 Q. And what was the sticking point to you in</p> <p>13 providing a deal of that length?</p> <p>14 A. I've been in digital my whole career.</p> <p>15 There was no reason to do a digital deal for five</p> <p>16 years.</p> <p>17 Q. You didn't see the value in it to you?</p> <p>18 A. Not for the amount of money that they were</p> <p>19 willing to pay.</p> <p>20 Q. If you provided those footage rights to the</p> <p>21 UFC for the World Series Of Fighting prelims, do you</p> <p>22 think that would impair your ability to later</p> <p>23 effectively complete against the UFC?</p> <p>24 MR. SKAGGS: Hypothetical.</p> <p>25 THE WITNESS: No.</p>

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<p style="text-align: right;">194</p> <p>1 BY MR. MAYSEY:</p> <p>2 Q. Has the UFC ever provided footage to the</p> <p>3 World Series Of Fighting to advertise bouts of former</p> <p>4 UFC fighters?</p> <p>5 A. We haven't asked.</p> <p>6 Q. Do you know if Ali ever asked?</p> <p>7 A. I don't know. He could have.</p> <p>8 Q. So since you've been there, to your</p> <p>9 knowledge, no one has asked?</p> <p>10 A. To my knowledge, I don't know that anyone</p> <p>11 has asked. But clearly, there's many emails, as you</p> <p>12 pointed out today, that I haven't seen, so hard to</p> <p>13 say.</p> <p>14 Q. Are you aware of any instance where the UFC</p> <p>15 has allowed another promotion to utilize its footage?</p> <p>16 MR. SKAGGS: Calls for speculation.</p> <p>17 THE WITNESS: No, I'm not aware.</p> <p>18 MR. MAYSEY: I have no further questions.</p> <p>19 Thank you for your time.</p> <p>20 THE WITNESS: Thank you.</p> <p>21 MR. SKAGGS: Take a quick break.</p> <p>22 THE VIDEOGRAPHER: Take a break?</p> <p>23 MR. SKAGGS: Yeah, quick.</p> <p>24 THE VIDEOGRAPHER: We are off the record.</p> <p>25 The time is 2:54 p.m.</p>	<p style="text-align: right;">196</p> <p>1 EXAMINATION</p> <p>2 BY MR. SKAGGS:</p> <p>3 Q. Mr. Silva, my name is Rory Skaggs from</p> <p>4 Boies, Schiller & Flexner for Zuffa. I know it's</p> <p>5 been a long day already, so I'm going to try to make</p> <p>6 this as quick as I can, but I do have a few questions</p> <p>7 for you.</p> <p>8 Would you characterize World Series Of</p> <p>9 Fighting's contracts with its athletes as long-term,</p> <p>10 exclusive contracts?</p> <p>11 A. I would characterize them as exclusive. I</p> <p>12 don't know how you would define long-term.</p> <p>13 Q. What is the normal term of World Series Of</p> <p>14 Fighting's contracts with its athletes?</p> <p>15 A. Generally, four fights and 20 to 24 months.</p> <p>16 Q. Would you characterize that term as</p> <p>17 long-term?</p> <p>18 A. No, I would not.</p> <p>19 Q. Are there benefits to the World Series Of</p> <p>20 Fighting of having exclusive, multibout contracts</p> <p>21 with its athletes?</p> <p>22 A. Yes.</p> <p>23 Q. What are those benefits?</p> <p>24 A. It's the industry norm.</p> <p>25 Q. Is one of the benefits of having exclusive,</p>
<p style="text-align: right;">195</p> <p>1 (There was a recess taken.)</p> <p>2 THE VIDEOGRAPHER: Back on the record. The</p> <p>3 time is 3:12 p.m.</p> <p>4 MR. MAYSEY: I wanted to clear up an issue</p> <p>5 that we realized we had with Exhibits 16 and 17.</p> <p>6 Exhibit 16 is actually the first tab and is</p> <p>7 part of Exhibit 17, which would have been the second</p> <p>8 tab. They were produced as the same document.</p> <p>9 MR. SKAGGS: Yeah, and actually, I'm</p> <p>10 looking at the Bates, and it looks like 17 would</p> <p>11 actually have been the second, third, and fourth</p> <p>12 tabs.</p> <p>13 MR. MAYSEY: Yes.</p> <p>14 MR. SKAGGS: Okay.</p> <p>15 MR. MAYSEY: And I'll read off the Bates</p> <p>16 labels.</p> <p>17 Exhibit 16 is Bates-labeled WSOF004888.01.</p> <p>18 And then, Exhibit 17, which is, as counsel</p> <p>19 says, is going to be the second, third, and fourth</p> <p>20 tabs, is Bates-labeled WSOF004888.03.</p> <p>21 WSOF004888.04.</p> <p>22 That's it.</p> <p>23 MR. SKAGGS: Okay.</p> <p>24 ///</p> <p>25 ///</p>	<p style="text-align: right;">197</p> <p>1 multifight contracts that you can see a return on</p> <p>2 investment when you invest with a fighter and you</p> <p>3 have some time with them to build them up?</p> <p>4 A. Yes.</p> <p>5 Q. And is another benefit of having exclusive,</p> <p>6 multibout contracts that allows you to promote that</p> <p>7 athlete over a period of time?</p> <p>8 A. Yes.</p> <p>9 Q. Is another benefit of having an exclusive,</p> <p>10 multibout contract with athletes to help with</p> <p>11 scheduling in the sense that if a fighter gets</p> <p>12 injured, you have others on the roster who can fill</p> <p>13 in for them?</p> <p>14 A. Yes.</p> <p>15 Q. Are there benefits to the athletes in</p> <p>16 having multibout contracts with World Series Of</p> <p>17 Fighting?</p> <p>18 A. Yes.</p> <p>19 Q. And what are those benefits?</p> <p>20 A. Security.</p> <p>21 Q. What do you mean by that?</p> <p>22 A. They know they're a pro. They know they're</p> <p>23 getting a paycheck for some period of time.</p> <p>24 Q. So do you think they prefer to have a</p> <p>25 multibout contract?</p>

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<p style="text-align: right;">202</p> <p>1 A. Do they grant us?</p> <p>2 Q. Is that part of the contract?</p> <p>3 A. For the fighter to grant World Series Of</p> <p>4 Fighting the right?</p> <p>5 Q. Right.</p> <p>6 A. No. They don't have the right to give it</p> <p>7 to us.</p> <p>8 Q. Okay. Because you own it?</p> <p>9 A. Correct.</p> <p>10 Q. And you presumably would never grant the</p> <p>11 athlete those rights?</p> <p>12 A. We do at times. If they need it for a</p> <p>13 sponsor, a documentary, a movie, something like that.</p> <p>14 Q. So you would give written permission for</p> <p>15 them to use it to for a specific purpose?</p> <p>16 A. Correct.</p> <p>17 Q. But ultimately, you would own the rights to</p> <p>18 that --</p> <p>19 A. Correct.</p> <p>20 Q. -- intellectual property?</p> <p>21 A. We're not giving them the rights, we're</p> <p>22 letting them borrow the rights. There's a big</p> <p>23 difference.</p> <p>24 Q. Why is it important that World Series Of</p> <p>25 Fighting retains those intellectual property rights?</p>	<p style="text-align: right;">204</p> <p>1 Q. What do you mean by that?</p> <p>2 A. If you're on television from 8:00 to</p> <p>3 10:00 at night, you're competing with everything else</p> <p>4 that people could do from 8:00 to 10:00 at night.</p> <p>5 Anything. Live sport event, theater, television,</p> <p>6 cable, broadband, pay services, Amazon, Netflix.</p> <p>7 Q. Do you compete with other organizations to</p> <p>8 sign MMA athletes?</p> <p>9 A. Yes.</p> <p>10 Q. And when looking for athletes to sign, do</p> <p>11 you look only for those athletes in North America, or</p> <p>12 do you look around the world?</p> <p>13 A. Around the world.</p> <p>14 Q. And are you competing to sign those</p> <p>15 athletes against MMA promoters that are located only</p> <p>16 in North America or other promoters around the world?</p> <p>17 A. Both, but primarily North America.</p> <p>18 Q. But there are some promoters around the</p> <p>19 world that you would compete with --</p> <p>20 A. There's a few.</p> <p>21 Q. -- to sign some athletes?</p> <p>22 A. There's a few around the world.</p> <p>23 Q. Is there a large talent pool available from</p> <p>24 which World Series Of Fighting can sign MMA athletes?</p> <p>25 A. Yes.</p>
<p style="text-align: right;">203</p> <p>1 A. An asset of the company.</p> <p>2 Q. It's an important asset?</p> <p>3 A. All assets are important.</p> <p>4 Q. Well, what makes these particular assets</p> <p>5 important?</p> <p>6 A. It's media. It's a -- it's a library, an</p> <p>7 asset of a media company, of a sports property, is</p> <p>8 the live footage is owned by the company.</p> <p>9 Q. When broadcasting an event on television,</p> <p>10 do you compete for television viewers?</p> <p>11 A. Yes.</p> <p>12 Q. And are you competing only with other MMA</p> <p>13 promoters for television viewers, or are you also</p> <p>14 competing with other sports and entertainment</p> <p>15 programming for viewers?</p> <p>16 A. Competing with everything that's on</p> <p>17 television.</p> <p>18 Q. So not just sports and entertainment</p> <p>19 programming?</p> <p>20 A. Correct.</p> <p>21 Q. Are you competing with anything other than</p> <p>22 what is on television?</p> <p>23 A. Yes.</p> <p>24 Q. What else would you be competing with?</p> <p>25 A. A pretty day.</p>	<p style="text-align: right;">205</p> <p>1 Q. Do you think MMA promoters should be able</p> <p>2 to make their own business decisions about whether to</p> <p>3 co-promote bouts?</p> <p>4 A. Yes.</p> <p>5 Q. Do you think the term "elite professional</p> <p>6 MMA fighter" is a subjective term?</p> <p>7 A. Yes.</p> <p>8 Q. Are you aware of any sort of certification</p> <p>9 that an MMA athlete can get that certifies them as an</p> <p>10 elite professional MMA fighter?</p> <p>11 A. No.</p> <p>12 Q. Has the UFC blocked the World Series Of</p> <p>13 Fighting from any inputs necessary to put on</p> <p>14 successful MMA events?</p> <p>15 A. No.</p> <p>16 Q. Has the UFC done anything to impede your</p> <p>17 ability to compete with them?</p> <p>18 A. No.</p> <p>19 Q. Is MMA as big as the NFL?</p> <p>20 A. Not yet.</p> <p>21 Q. And how are they different?</p> <p>22 A. How are what different?</p> <p>23 Q. The NFL and MMA.</p> <p>24 MR. COUVILLIER: Objection, vague.</p> <p>25 THE WITNESS: You have to be a little more</p>

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<p style="text-align: right;">206</p> <p>1 specific about your question. 2 BY MR. SKAGGS: 3 Q. Let's say financially, would you say 4 they're on the same playing field? No pun intended. 5 A. No. NFL is the biggest -- the biggest 6 sport in America, undoubtedly. UFC, MMA, Bellator, 7 World Series Of Fighting combined in North America, 8 along with all of the regionals, aren't as big as the 9 NFL. 10 Q. Okay. You mentioned earlier that 11 Ali Abdel-Aziz was a manager of MMA athletes at the 12 same time he was a senior vice president or whatever 13 his title was at World Series Of Fighting; is that 14 correct? 15 A. Is it correct that he managed athletes at 16 the same time that he was working as a full-time 17 contractor at World Series Of Fighting? 18 Q. Right. 19 A. Correct. 20 Q. Do you think that created the risk of a 21 conflict of interest? 22 A. Yes. That's why it was the first thing 23 that I did when I took over the organization was to 24 change that. 25 Q. And what was your -- why did you make that</p>	<p style="text-align: right;">208</p> <p>1 MR. MAYSEY: Can we stand and close it? 2 THE VIDEOGRAPHER: I'm sorry. We're still 3 on the record. Go ahead, Counsel. 4 MR. MAYSEY: Yes. We will read and sign. 5 We're going to reserve the right to 6 reconvene this deposition in the event additional 7 financial information is disclosed that we have not 8 seen to date. 9 MR. SKAGGS: Zuffa does not consent to that 10 reservation of rights. 11 MR. MAYSEY: That's fine. 12 MR. COUVILLIER: Neither do we. 13 MR. MAYSEY: We are reserving our rights. 14 We don't anticipate we're going to have to call you 15 back, but we're not closing the deposition as of 16 today. 17 MR. WIDNELL: And just to be clear, we'll 18 designate the entire -- I think we've already said 19 this, but designate the entire transcript as highly 20 confidential until we've had a chance to review 21 and -- 22 MR. SKAGGS: And you've had a chance to 23 review. 24 MR. COUVILLIER: Well, I want him released 25 from the subpoena, though. I mean, we're here, we've</p>
<p style="text-align: right;">207</p> <p>1 decision? 2 A. Because it was a conflict of interest. 3 Q. So Mr. Maysey introduced some emails 4 earlier from Mr. Aziz about releasing certain 5 fighters. 6 Could you tell based on those emails 7 whether Mr. Aziz was acting in his capacity as a 8 manager of fighters or an executive of the World 9 Series Of Fighting when he sent those emails? 10 A. I could not tell from those emails. 11 However, they were signed by him indicating that he 12 was with World Series Of Fighting. 13 Q. But you don't know for sure what he thought 14 his role was when he was making those decisions? 15 A. Yeah. I can't -- I can't answer what I 16 thought was in Ali's head. 17 Q. That's fair. 18 A. Nobody could. 19 MR. SKAGGS: I have no more questions. 20 THE VIDEOGRAPHER: Do you have anything? 21 MR. MAYSEY: No. 22 THE VIDEOGRAPHER: This concludes today's 23 deposition of Carlos Silva. 24 The number of media used was three, and we 25 are off the record at 3:28 p.m.</p>	<p style="text-align: right;">209</p> <p>1 produced the documents. I think if you have the 2 questions, he's prepared to answer whatever questions 3 you may have that are left, but we will object and we 4 will state that from our consideration, he has been 5 relieved of the subpoena and has complied with it 6 fully. 7 MR. SKAGGS: And Zuffa agrees. 8 MR. MAYSEY: We do not, and we have stated 9 our position for the record. 10 But I appreciate that. 11 THE VIDEOGRAPHER: Okay. Are we off, then? 12 We are off the record at 3:30 p.m. 13 (Time Noted: 3:30 p.m.) 14 15 16 17 18 19 20 21 22 23 24 25</p>

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<p>1</p> <p>2 STATE OF _____)</p> <p>3) :ss</p> <p>4 COUNTY OF _____)</p> <p>5</p> <p>6</p> <p>7 I, CARLOS SILVA, the witness</p> <p>8 herein, having read the foregoing</p> <p>9 testimony of the pages of this deposition,</p> <p>10 do hereby certify it to be a true and</p> <p>11 correct transcript, subject to the</p> <p>12 corrections, if any, shown on the attached</p> <p>13 page.</p> <p>14</p> <p>15 _____</p> <p>16 CARLOS SILVA</p> <p>17</p> <p>18</p> <p>19</p> <p>20 Sworn and subscribed to before</p> <p>21 me, this _____ day of</p> <p>22 _____, 2017.</p> <p>23</p> <p>24 _____</p> <p>25 Notary Public</p>	<p>1 INSTRUCTIONS TO WITNESS</p> <p>2</p> <p>3 Please read your deposition over carefully</p> <p>4 and make any necessary corrections. You should state</p> <p>5 the reason in the appropriate space on the errata</p> <p>6 sheet for any corrections that are made.</p> <p>7 After doing so, please sign the errata sheet</p> <p>8 and date it.</p> <p>9 You are signing same subject to the changes</p> <p>10 you have noted on the errata sheet, which will be</p> <p>11 attached to your deposition.</p> <p>12 It is imperative that you return the original</p> <p>13 errata sheet to the deposing attorney within thirty</p> <p>14 (30) days of receipt of the deposition transcript by</p> <p>15 you. If you fail to do so, the deposition transcript</p> <p>16 may be deemed to be accurate and may be used in court.</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
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<p>1 CERTIFICATE OF REPORTER</p> <p>2 I, Cynthia K. DuRivage, a Certified</p> <p>3 Shorthand Reporter of the State of Nevada, do hereby</p> <p>4 certify:</p> <p>5 That the foregoing proceedings were taken</p> <p>6 before me at the time and place herein set forth;</p> <p>7 that any witnesses in the foregoing proceedings,</p> <p>8 prior to testifying, were duly sworn; that a record</p> <p>9 of the proceedings was made by me using machine</p> <p>10 shorthand which was thereafter transcribed under my</p> <p>11 direction; that the foregoing transcript is a true</p> <p>12 record of the testimony given.</p> <p>13 I further certify I am neither financially</p> <p>14 interested in the action nor a relative or employee</p> <p>15 of any attorney or party to this action.</p> <p>16 Reading and signing by the witness was</p> <p>17 requested.</p> <p>18 IN WITNESS WHEREOF, I have this date</p> <p>19 subscribed my name.</p> <p>20 Dated: April 27th, 2017</p> <p>21</p> <p>22</p> <p>23 _____</p> <p>24 CYNTHIA K. DuRIVAGE</p> <p>25 CCR No. 451</p>	<p>1 E R R A T A</p> <p>2</p> <p>3</p> <p>4</p> <p>5 I wish to make the following changes,</p> <p>6 for the following reasons:</p> <p>7</p> <p>8 PAGE LINE</p> <p>9 _____ CHANGE: _____</p> <p>10 REASON: _____</p> <p>11 _____ CHANGE: _____</p> <p>12 REASON: _____</p> <p>13 _____ CHANGE: _____</p> <p>14 REASON: _____</p> <p>15 _____ CHANGE: _____</p> <p>16 REASON: _____</p> <p>17 _____ CHANGE: _____</p> <p>18 REASON: _____</p> <p>19 _____ CHANGE: _____</p> <p>20 REASON: _____</p> <p>21</p> <p>22 _____</p> <p>23 WITNESS' SIGNATURE _____ DATE _____</p> <p>24</p> <p>25</p>

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